

Article V: Human Resources/General
Section B: Conduct and Ethics
Policy 010: Conflict of Interest/Code of Ethics

Policy 010: All RCC employees are subject to the laws of Oregon relating to ethics, to actual and potential conflicts of interest, and to the regulation of the conduct of public employees and public officials. These laws establish specific standards of conduct and an employee cannot rely upon personal or community standards of behavior, but must refer to these laws (and authorized interpretations of these laws), in answering questions regarding what is and is not prohibited conduct. The Oregon Revised Statutes (ORS) dealing with conflicts of interest include but are not limited to:

- (1) ORS 244.040 – **The Code of Ethics:** This provides “No public official (which includes RCC employees by definition in ORS 244.020[15]) shall use or attempt to use official position or office to obtain financial gain or to avoid financial detriment.” The statute goes into detail regarding what this means, and matters pertaining to gifts, use of confidential information and the like (emphasis added).
- (2) ORS 244.020(1) – **Actual Conflict of Interest:** This “means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which **would be to the private pecuniary benefit or detriment of the person or the person’s relative or any business with which the person or a relative of the person is associated** (subject to exceptions set out in the law)...” (Emphasis added).
- (3) ORS 244.020(12) – **Potential Conflict of Interest:** This “means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which **could be to the private pecuniary benefit or detriment of the person or the person’s relative or any business with which the person or a relative of the person is associated** (subject to exceptions set out in the law)...” (Emphasis added).
- (4) ORS 244.120(c) and ORS 244.120(2) – **Methods of Handling Conflicts:**...“when met with an actual or potential conflict of interest, a public official shall:
... notify in writing the person who appointed the public official to office of the nature of the conflict, and request that the appointing authority disposes of the matter giving rise to the conflict. Upon receipt of the request, the appointing authority shall designate within a reasonable time an alternate to dispose of the matter or shall direct the official to dispose of the matter in a manner specified by the appointing authority.” (This requires a written referral of the conflict to the employee’s immediate or other supervisor.) (Emphasis added.)

These laws are in Chapter 244 of the ORS and are generally known as “Government Standards and Practices.” The laws are enforced and interpreted by the Oregon Government Standards and Practices Commission. The Commission is in Salem, Oregon, telephone: 503-378-5105, and has staff available to answer questions and also has issued a manual, which public officials can refer to for guidance in this legal area.

RCC employees are prohibited from taking any action to fraudulently influence, coerce, manipulate or mislead an auditor engaged in the performance of an audit for the purpose of rendering the financial statements materially misleading. The President, vice presidents, chief financial officer, and deans shall adhere to the National Association of College and University Business Officers (NACUBO) Code of Ethics (herein below). The NACUBO Code of Ethics will be incorporated into the employment contracts of the listed or equivalent positions.

NACUBO CODE OF ETHICS

Institutions of higher education are entrusted by society with great resources and commensurately great responsibilities for creation, dissemination, and preservation of knowledge. College and university business officers play a key role in assuring that high standards of ethical practice attend to the custody and use of these resources. The business officer's personal and professional conduct reflects on his or her institution, the collective profession, and the higher education enterprise at large. To guide business officers in setting and practicing high standards of ethical conduct, the National Association of College and University Business Officers has devised the following code of ethics. NACUBO embraces the values expressed in this code and advocates their observance by its members.

The business officer's conduct should be characterized by integrity and dignity, and he or she should expect and encourage such conduct by others.

The business officer should adopt and be faithful to personal values that: accord respect to self and others; preserve honesty in actions and utterances; give fair and just treatment to all; accept intellectual and moral responsibility; aspire to achieve quality; refuse conflict, or the appearance of conflict, between personal and institutional interests; and engender forthright expression of one's own views and tolerance for the views of others.

The business officer should act with competence and should strive to advance competence, both in self and in others. The business officer should understand and support his or her institution's objectives and policies, should be capable of interpreting them within and beyond the institution, and should contribute constructively to their ongoing evaluation and reformulation. The business officer should communicate to institutional colleagues the content of this code of ethics and should strive to ensure that the standards of professional conduct contained therein are met.

In discharging his or her duties in accordance with this Code of Ethics, the business officer should enjoy the following rights: the right to work in a professional and supportive environment; and the right to have a clear, written statement of the conditions of his or her employment, procedures for professional review, and a job description outlining duties and responsibilities; within the scope of his or her authority and policy, the right to exercise judgment and perform duties without disruption or harassment; and, freedom of conscience and the right to refuse to engage in actions that violate the ethical principles contained in this code or provisions of law.

Adopted by the NACUBO Board of Directors April 15, 1993

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Policy 020: Accepting Gifts

V.B.020: Oregon ethics law, ORS Chapter 24, restricts public employees from accepting personal gift(s) with an aggregate value in excess of \$50 from any source during any calendar year. In addition, all college students, employees, Board members, volunteers, and vendors are discouraged from giving gifts to staff members, especially those in positions with decision-making authority. Any and all donations to the College must be handled through the RCC Foundation.

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Policy 030: Soliciting Funds or Business on College Campuses

Policy 030: Prior approval must be obtained from the College President before an individual or group may solicit funds or business with students or staff to obtain faculty or student lists. This is not to be interpreted as restricting normal business transactions with the RCC bookstore employees such as salesmen of school supplies, books, etc., or approved solicitation by campus organizations.

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Policy 040: Outside Employment

V.B.040: Full-time college staff will not engage in outside employment that interferes with regular College duties. Prior to acceptance of such employment involving substantial time or an honorarium for the individual concerned shall obtain approval of the President. Part-time faculty are encouraged to have other employment in their field of expertise as a means of keeping abreast of their field and to be actively involved in their professions. Likewise, part-time classified employees and student workers are also encouraged to seek outside employment provided such employment does not detract from the performance of their duties at RCC.

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Policy 050: Non-Discrimination

Rogue Community College does not discriminate in any programs, activities, or employment practices on the basis of race, color, religion, ethnicity, use of native language, national origin, sex, sexual orientation, gender identity, marital status, veteran status, disability, age, pregnancy, or any other status protected under applicable federal, state, or local laws. Statement of non-discrimination shall appear in College publications and on the website. Refer to Administrative Procedure for specific distribution requirements.

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Policy 060: Research on Human Subjects

V.B.060: It is the policy of Rogue Community College to act in an ethically responsible manner when conducting research involving human subjects as guided by the Belmont Report, the Declaration of Helsinki and The Nuremberg Code¹. Rogue Community College will interpret these ethical principles in accordance with Federal Policy, as outlined in Federal Policy for the Protection of Human Subjects (Code of Federal Regulations; Title 45, Part 46).

The President of the College or designated representative will establish a procedure for the conduct of research involving human subjects within or under the auspices of the College.

¹ "Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10", Vol. 2, pp. 181-182. Washington, D.C.: U.S. Government Printing Office, 1949.